

11-8-05

DOCKET NO.: ISIS-5246
Application No.: 10/663,155

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Phillip Dan Cook, et al.

Confirmation No.: 2151

Application No.: 10/663,155

Group Art Unit: 1623

Filing Date: September 15, 2003

Examiner: Owens Jr., Howard V.

For: **OLIGONUCLEOTIDES CONTAINING 2'-O-MODIFIED PURINES**

EXPRESS MAIL LABEL NO: EL998518423US
DATE OF DEPOSIT: November 7, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

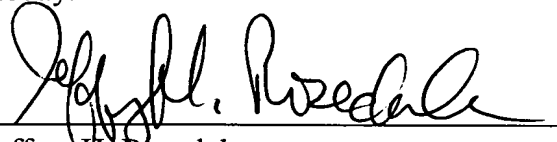
EL998518423US

Sir:

COMMUNICATION

Applicants are sending the Office via Express Mail a copy of the amendment and response, the supplemental information disclosure statement, and petition for an extension of time (three months) that was transmitted by facsimile to Examiner Howard V. Owen's facsimile number (571-273-0658) on October 7, 2005, and then again to the Official facsimile number (571-273-0300) on Tuesday November 1, 2005 and Thursday, November 3, 2005. Applicants note that these papers do not appear in the PAIR system today. Accordingly, Applicants are providing this copy to ensure that the papers get entered into the file as of October 7, 2005, and certainly no later than today.

Date: November 7, 2005


Jeffrey H. Rosedale
Registration No. 46,018

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439

Confirmation Report - Memory Send

Page : 001
Date & Time: Nov-03-05 04:07pm
Line 1 : +2155683439
Line 2 : +2155683439
Machine ID : WoodcockWashburn

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Date : Nov-03 04:04pm
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Start time : Nov-03 04:04pm
End time : Nov-03 04:07pm
Pages sent : 018
Status : OK

Job number : 698

*** SEND SUCCESSFUL ***



DATE: November 3, 2005
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COVER MESSAGE:

OFFICIAL FACSIMILE. PLEASE DELIVER TO EXAMINER IMMEDIATELY.

Further to our conversation of November 1, 2004, attached is our October 7, 2005 Amendment, Response and Supplement Information Disclosure Statement that we fax filed to Examiner Howard V. Owens on October 7, 2005. Kindly have these papers entered into the file. Call me if you have any questions. Thank you

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERY OF THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

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FACSIMILE

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End time : Nov-01 02:37pm
Pages sent : 018
Status : OK

Job number : 683

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DATE ~~November 01, 2005~~
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004193 ~

Please deliver this and the following pages to:

Examiner: **Howard V. Owens, Jr.**

U.S.P.T.O. Group Art Unit: **1623**

Telecopier No.: **571-273-0658**

U.S. Serial No.: **10/663,155**

Client/Matter No.: **ISIS-5246**

Sender's Name: **Joseph Lucci**

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OFFICIAL FACSIMILE. PLEASE DELIVER TO EXAMINER IMMEDIATELY.

Attached hereto is/are the following documents:

- 1) Reply Transmittal Letter in duplicate
- 2) Amendment
- 3) Copy of Supplemental Information Disclosure Statement dated July 19, 2005 as filed in ASN 07/967,267

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End time : Oct-07 02:46pm
Pages sent : 020
Status : OK

Job number : 462

*** SEND SUCCESSFUL ***



DATE: October 07, 2005
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Examiner: Howard V. Owens, Jr.
U.S.P.T.O. Group Art Unit: 1623
Telecopier No.: 571-273-0658
U.S. Serial No.: 10/663,155
Client/Matter No.: ISIS-5246
Sender's Name: Joseph Lucci
Pages to Follow: 19

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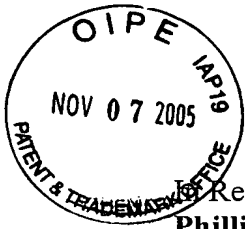
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004193 ~

DOCKET NO.: ISIS-5246

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Re Application of:

**Phillip Dan Cook, Daniel PC McGee,
Charles J. Guinosso**

Confirmation No.: 2151

Application No.: 10/663,155

Group Art Unit: 1623

Filing Date: September 15, 2005

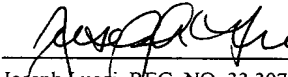
Examiner: Howard V. Owens, Jr.

For: **Oligonucleotides Containing 2'-O-Modified Purines**

CERTIFICATE OF FACSIMILE TRANSMISSION

DATE: October 7, 2005

I HEREBY CERTIFY THAT THIS PAPER IS BEING
FACSIMILE TRANSMITTED TO THE PATENT AND
TRADEMARK OFFICE TO FACSIMILE NUMBER (571)-
273-0658 ON THE DATE LISTED ABOVE.


Joseph Lucchi REG. NO. 33,307

☐ MS Amendment ☐ MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REPLY TRANSMITTAL LETTER

- ☐ A Preliminary Amendment.
- ☒ Amendment Responsive to the Office Action Dated May 6, 2005.
- ☐ Supplemental to the Paper filed .
- ☐ A Substitute Specification (pages 1 -) in clean form.
- ☐ A substitute specification (pages 1 -) with markings.
- ☐ An Abstract is enclosed.
- ☐ replacement sheets of drawings are enclosed comprising figures .
- ☐ Request is hereby made to accept black and white photograph(s) in this case, as they are the only practicable medium for illustrating the claimed invention. One (1) set of black and white photographs comprising figure(s) is submitted herewith.

11/09/2005 YPOLITE1 00000009 233050 10663155

01 FC:1253 1020.00 DA

- ☐ Petition is hereby made to accept drawing(s)/photograph(s) in this case.
- ☐ Three (3) sets of color drawing(s)/photograph(s) and black and white photocopy that accurately depicts to the extent possible, the subject matter shown in the color drawing(s)/photograph(s), are enclosed, comprising figures
- ☐ An amendment to the first paragraph in that portion of the Brief Description of the Drawings is also enclosed herewith advising that the patent contains at least one drawing/photograph in color.
- ☐ A Certified Copy of each of the following applications: is enclosed.
- ☐ An Assignee Power of Attorney is enclosed.
- ☒ Information Disclosure Statement.
- ☒ Attached Form 1449.
- ☒ A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.
- ☐ A Terminal Disclaimer is attached.
- ☐ Appendices as follows:
- ☐ Other
- ☐ **No Additional Fee is Due.**
- ☐ Applicant(s) has previously claimed small entity status under 37 CFR § 1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR § 1.27 as
- ☐ This application is no longer entitled to small entity status. It is requested that this be noted in the files of the U.S. Patent and Trademark Office.

				SMALL ENTITY		NOT SMALL ENTITY	
	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	11	(20 MINIMUM)		\$25 EACH	\$	\$50 EACH	\$
INDEP. CLAIMS	2	(3 MINIMUM)		\$100 EACH	\$	\$200 EACH	\$
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$180	\$	\$360	\$
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$60	\$	\$120	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$225	\$	\$450	\$
<input checked="" type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$510	\$	\$1020	\$1020.00
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$795	\$	\$1590	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$1080	\$	\$2160	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$)	minus	(\$)
<input type="checkbox"/> TERMINAL DISCLAIMER				\$65	\$	\$130	\$
<input type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS:							
TOTAL FEE DUE					\$		\$1020.00

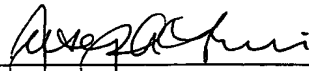
- ☐ A check in the amount of \$.00 is attached. Please charge any deficiency or credit any overpayment to Deposit Account 23-3050.
- ☒ Please charge Deposit Account No. 23-3050 in the amount of 1020.00. This sheet is attached in duplicate.
- ☒ The Commissioner is hereby authorized to charge any deficiency or credit any overpayment of the fees associated with this communication to Deposit Account No. 23-3050.
- ☒ Petition is hereby made under 37 CFR § 1.136(a) (fees: 37 CFR § 1.17(a)(1)-(4)) to extend the time for response to the Office Action of May 6, 2005 to and through October 7, 2005 comprising an extension of the shortened statutory period of two month(s).

DOCKET NO.: ISIS-5246

PATENT

- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account 23-3050. This sheet is provided in duplicate.

Date: October 7, 2005



Joseph Lucci
Registration No. 33,307

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Facsimile: (215) 568-3439

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